

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10769 PERMIT 6250 LICENSE 3360

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION

WHEREAS License 3360 was issued to Fred Betty and was filed with the County Recorder of Sutter County on February 19, 1952, and

WHEREAS said license was subsequently assigned to Bertha Betty and Helen Davis, and

WHEREAS the State Water Resources Control Board has found that the change in points of diversion under said license for which petition was submitted on March 23, 1971, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said points of diversion in accordance with said petition;

NOW, THEREFORE, IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said License 3360 to points of diversion described as follows, to wit:

1. DUE WEST 300 FEET FROM N $\frac{1}{4}$ CORNER OF SECTION 28, T15N, R2E, MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 28,

4

2. SOUTH 1,165 FEET AND WEST 1,035 FEET
FROM $N\frac{1}{4}$ CORNER OF SECTION 28, T15N,
R2E, MDB&M, BEING WITHIN $NE\frac{1}{4}$ OF $NW\frac{1}{4}$
OF SAID SECTION 28, AND
3. SOUTH 500 FEET AND EAST 1,450 FEET
FROM NW CORNER OF SECTION 28, T15N,
R2E, MDB&M, BEING WITHIN $NE\frac{1}{4}$ OF $NW\frac{1}{4}$
OF SAID SECTION 28.

Dated: OCT 13 1971

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10769

PERMIT 6250

LICENSE 3360

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS, License 3360 was issued to Fred Betty and was filed with the County Recorder of Sutter County on February 19, 1952, and

WHEREAS, the State Water Resources Control Board has found that the change in point of diversion under said license for which petition was submitted on February 17, 1969, will not operate to the injury of any other legal user of water, and

WHEREAS, the Board has approved and allowed said change and has directed that an order be issued to describe said points of diversion in accordance with said petition;

NOW, THEREFORE, IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 3360 to points of diversion described as follows, to wit:

(1) DUE WEST 300 FEET FROM $N\frac{1}{4}$ CORNER OF SECTION 28, T15N, R2E, MDB&M, BEING WITHIN $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SAID SECTION 28, AND

(2) SOUTH 1,165 FEET AND WEST 1,035 FEET FROM $N\frac{1}{4}$ CORNER OF SECTION 28, T15N, R2E, MDB&M, BEING WITHIN $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SAID SECTION 28.

Dated: APR 3 1969

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

3

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10769

PERMIT 6250

LICENSE 3360

ORDER CORRECTING THE DESCRIPTION OF LICENSED POINT OF DIVERSION NUMBER 1,
DELETING LICENSED POINTS OF DIVERSION NUMBERS 2 AND 3,
APPROVING A NEW POINT OF DIVERSION AND THREE NEW POINTS OF REDIVERSION
AND
CHANGING THE DESCRIPTION OF THE PLACE OF USE

WHEREAS:

1. License 3360 was issued to Fred Betty and was filed with the County Recorder of Sutter County on February 19, 1952.
2. An order allowing change in points of diversion was granted on April 3, 1969 and has been recorded with the County Recorder of Sutter County on April 8, 1969, Book 736, Page 402.
3. An order allowing change in points of diversion, was granted on October 13, 1971, and has been recorded with the County Recorder of Sutter County on October 18, 1971, Book 775, Pages 657 & 658.
4. License 3360 was subsequently assigned to Helen Davis.
5. A petition for change in points of diversion, addition of points of rediversion and change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
6. An inspection was made on May 7, 1981 and it was determined that the description of licensed point of diversion number 1 should be corrected. This correction is needed to describe the actual location of the point of diversion.
7. The Board has determined that the petitioned changes and correction do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The points of diversion under this license shall be as follows:
 1. South 100 feet and East 1,000 feet from $W\frac{1}{4}$ corner of Section 29, T15N, R2E, MDB&M being within $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 29.
 2. West 650 feet from $N\frac{1}{4}$ corner of Section 28, T15N, R2E, MDB&M being within $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of said Section 28.

2. The points of redirection under this license shall be as follows:

1. South $88^{\circ}59'21''$ West 4,596.22 feet from NE corner of Section 29, T15N, R2E, MDB&M being within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of said Section 29.
2. South $46^{\circ}03'15''$ East 1,417.06 feet from NW corner of Section 28, T15N, R2E, MDB&M being within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of said Section 28.
3. South $79^{\circ}41'05''$ West 4,765.02 feet from NE corner of Section 29, T15N, R2E, MDB&M being within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of said Section 29.

3. The place of use under this license shall be as follows:

Forty-four (44) acres net within a gross area of 415 acres located within $NW\frac{1}{4}$ of Section 28, $N\frac{1}{2}$ of Section 29 and $N\frac{1}{2}$ of Section 30, all within T15N, R2E, MDB&M as shown on a map filed with the State Water Resources Control Board.

Dated FEBRUARY 11 1982

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

7



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 10769

PERMIT 6250

LICENSE 3360

THIS IS TO CERTIFY, That **Fred Betty**
Route 2
Yuba City, California

Notice of Change (Over)

ba ■ made proof as of **October 10, 1949**
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Sutter Canal in Sutter County
tributary to **Sutter By-pass**

for the purpose of **irrigation use**
under Permit **6250** of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from **February 16, 1944**
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **fifty-five hundredths (0.55)**
cubic feet per second to be diverted from about April 1 to about November 1 of
each year.

The equivalent of such continuous flow allowance for any thirty day period
may be diverted in a shorter time if there be no interference with other vested
rights.

The point of diversion of such water is located **due West three hundred (300) feet from**
the N $\frac{1}{2}$ corner of Section 28, T 15 N, R 2 E, M.D.B.&M., being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said Section 28.

A description of the lands or the place where such water is put to beneficial use is as follows: **34.5 acres**
within NW $\frac{1}{4}$ of NW $\frac{1}{4}$, 1.5 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 8.0 acres within SW $\frac{1}{4}$ of NW $\frac{1}{4}$
of Section 28, T 15 N, R 2 E, M.D.B.&M.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 18th
day of February, 1952



A. D. Edmonston
A. D. EDMONSTON, State Engineer

2/17/69 Name chgd to Estate of Fred Betty

4/8/69 RECEIVED NOTICE OF ASSIGNMENT TO Bertha Betty & Helen Davis

12-6-74 Records chgd to show Helen
Davis & Estate of Bertha Betty
as owners

12-6-78 Int of Estate of Bertha Betty asgs to Helen Davis

LICENSE 3360

DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
APPROPRIATE WATER

ISSUED TO Fred Betty

FEB 18 1952

46807 7-51 3M STATE PRINTING OFFICE

2